

REMARKS

Claim Rejections:

Claims 1, 2, 3, 5-7, 21 and 26-28 are all of the claims that have been examined in the present application, and currently all of the claims stand rejected.

35 U.S.C. § 102(e) Rejection - Claims 1, 3-7, 21 and 26-28:

Claims 1, 3, 5-7, 21 and 26-28 stand rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,227,642 to Hanabusa et al. In view of the following discussion, Applicant respectfully traverses the above rejection.

Applicant has amended each of claims 1, 21 and 28 to include the limitation of claim 2. As the Examiner has admitted, Hanabusa fails to disclose this feature of the present invention. Accordingly, Applicant submits that Hanabusa fails to disclose, teach or suggest each and every feature of the present invention as required under the provisions of 35 U.S.C. § 102(e). Accordingly, Applicant hereby requests the Examiner reconsider and withdraw the above 35 U.S.C. § 102(e) rejection.

35 U.S.C. § 103(a) Rejection - Claim 2:

Claim 2 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Hanabusa in view of U.S. Patent No. 6,607,262 to Paul et al. In view of the following discussion, Applicant respectfully traverses the above rejection.

As an initial matter, Applicant notes that claim 2 has been canceled and its limitation has been added to claims 1, 21 and 28. As such, Applicant hereby addresses the Examiner's rejection and discussions.

However, rather than addressing the Paul reference on the merits, Applicant submits that the Paul reference is not prior art to the present application under the provisions of 35 U.S.C. § 102. Specifically, Applicant notes that the US filing date for Paul is June 18, 2001, which is after the filing date of the priority document JP2000-267067, on September 4, 2000. Thus, Applicant submits herewith a certified English translation of the priority document JP2000-267067, which discloses at least the feature of claim 2, which has been added to each of the independent claims. As such, Applicant has perfected the claim to foreign priority for at least this aspect of the present invention. Therefore, Applicant submits that the Paul reference is no longer prior art, with respect to the claims of the present application, and Applicant hereby requests the Examiner reconsider and withdraw the above 35 U.S.C. § 103(a) rejection of claim 2.

Conclusion:

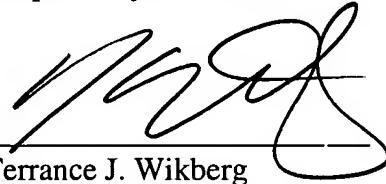
In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

AMENDMENT UNDER 37 C.F.R. §1.111
Application Number 10/092,616

Our Ref: Q68810
Art Unit: 2853

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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